

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EM4, INC.,

Plaintiff,

v.

THERAFUSE, INC.,

Defendant.

Civil Action No.: 04-11774-NMG

NOTICE OF DISMISSAL

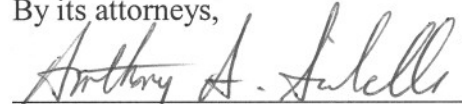
Pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiff EM4, Inc. hereby dismisses this action.

No answer has been served in this action.

Respectfully submitted,

EM4, Inc.

By its attorneys,



Anthony A. Scibelli (BBO #556507)

C. Alex Hahn (BBO #634133)

Scibelli, Whiteley & Stanganelli, LLP

50 Federal Street, Fifth Floor

Boston, Massachusetts 02110

(617) 227-5725

-and-

Michael J. Summersgill (BBO #632816)

Christopher B. Zimmerman (BB) #653854)

Wilmer Cutler Pickering Hale and Dorr LLP

60 State Street

Boston, Massachusetts 02109

(617) 526-6000

Dated: April 1, 2005